



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yves Dubaquin *et al.*

Application Serial No. 10/028,410

Filed: December 19, 2001

For: *IGF and Insulin Variants*

) Examiner: Bunner, Bridget E.

) Art Unit: 1647

) Confirmation No. 4233

) Attorney's Docket No. 39766-0131 R1-1D1

) Customer No. 25213

Express Mail No.: EL 977 673 665 US
Mailing Date: January 24, 2005

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Supplemental Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form Supplemental PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

02/01/2005 H8UTEM1 00000007 081641 10028410

03 FC:1806 180.00 DA

☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; or
- ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

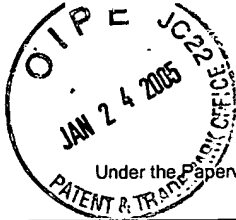
☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$180.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39766-0131 R1-1D1.**

Respectfully submitted,

By: Leslie A. Mooi
Leslie A. Mooi (Reg. No. 37,047)

Dated: January 24, 2005

HELLER EHRMAN WHITE & McAULIFFE LLP
275 Middlefield Road
Menlo Park, CA 94025-3506
(650) 324-7000
Customer No. 25213



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/028,410
				Filing Date	December 19, 2001
				First Named Inventor	Yves Dubaigue
				Art Unit	1647
				Examiner Name	Bunner, Bridget E.
Sheet	1	of	1	Attorney Docket Number	39766-0131 R1-1D1

OTHER DOCUMENTS – NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	A1	Miyamori <i>et al.</i> , "Systemic and Regional Effects of Endothelin in Rabbits: Effects of Endothelin Antibody," <i>Clin Exp. Pharmacol. Physiol.</i> , 1990 vol. 17:(10) 691-6 (ABSTRACT ENCLOSED ONLY)	
	A2	Urakami, A. <i>et al.</i> , "Attenuation of Ischemic Liver Injury by Monoclonal Anti-Endothelin Antibody, AwETN40," <i>J. Am Coll. Surg.</i> , 1997 vol 185:(4) 358-64 (ABSTRACT ENCLOSED ONLY)	

EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.